

AO 91 (Rev. 08/09) Criminal Complaint

*WJH*

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Michael Keith Shepard

)  
)  
)  
)  
)  
)

Case No. *2:15-mj-270*

*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/15/15 to 2/2/15 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*

18 U.S.C. 2250(a)

*Offense Description*

being a sex offender required to register, did travel in interstate or foreign commerce and knowingly failed to register or update registration as required by the Sex Offender Registration and Notification Act.

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference.

☒ Continued on the attached sheet.

*Nicole Ralston*

*Complainant's signature*

Nicole Ralston, DUSM

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 3/26/2015

City and state: Columbus, Ohio

*Judge's signature*

*N. M. King, U.S. District Judge*

*Printed name and title*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In the Matter of:

United States of America  
v.

Michael Keith Shepard

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Nicole Ralston, being duly sworn, do hereby declare and state the following:

1) My name is Nicole Ralston. I am a Deputy United States Marshal assigned to the Southern District of Ohio. I have been employed with the United States Marshals Service (USMS) since August of 2003. I am currently assigned to fugitive and sex offender investigations and have conducted many investigations involving sexual offenders. As a Deputy US Marshal, I am authorized under 28 U.S.C. § 564 to enforce the laws of the United States, including violations of the Sex Offender Registration and Notification Act (SORNA), 42 U.S.C. § 16901, and federal failure to register offenses, pursuant to 18 U.S.C. § 2250. Prior to my employment with the USMS, I was employed as a Police Officer in Marion, Ohio for seven years. I have a Bachelor's Degree in Criminal Justice and I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator Training Program at Glynco, Georgia.

2) I am the case agent for the criminal investigation of Michael Keith SHEPARD, a convicted sex offender, relating to his travel from Michigan to Ohio, and from Ohio to South Carolina, his failure to update his registration in Michigan and Ohio, and his failure to register in South Carolina. This affidavit is based upon my conversations and coordinated efforts with other law enforcement agents and sources and my examination of various transcripts, reports, and other records. When the contents of documents or statements of others are reported herein, they are reported in substance and part unless

otherwise indicated. I have not included in this affidavit all information known by me relating to the investigation. I have set forth facts to establish probable cause for an arrest warrant for Michael Keith SHEPARD. I have not withheld any evidence or information that would negate probable cause.

3) This affidavit is made in support of an application for a criminal complaint charging Michael Keith SHEPARD with a violation of 18 U.S.C. Section 2250(a).

Based on my training, experience, and participation in this and other violations of the sex offender registration requirements, I am aware of the following facts:

4) On June 16, 2009, in the State of Michigan, 29th Judicial Circuit, Clinton County, Michael Keith SHEPARD was found guilty of Children- Accosting for Immoral Purposes in violation of MCL 750.145A-A., Case# 09-008434-FH-T. SHEPARD was accused of meeting what he believed to be a 15-year-old female for purposes of sexual activity, and entered a plea of guilty to the offense. SHEPARD was sentenced to 152 days of incarceration and required to register, as required by the Michigan Sex Offender Registration Act.

5) Subsequent to his release, SHEPARD signed the State of Michigan Explanation of Duties to Register as a Sex Offender Form on July 14, 2009. The form notified SHEPARD that he was required to register as a sexual offender for a period of 25 years or a minimum of 10 years after being released from prison, and that he was required to verify his address with the local law enforcement agency having jurisdiction over his address on a quarterly basis. The form further informed SHEPARD of numerous requirements regarding any future changes in his address. SHEPARD was required to report in person to the local law enforcement agency having jurisdiction over his residence within 10 days of changing his residence. SHEPARD was further required, 10 days prior to moving to another state, to report in person to the nearest State Police post to provide his new address, and to comply with the registration requirements of the state

to which he moved. SHEPARD initialed the form next to each of these requirements, indicating he understood each of them.

6) SHEPARD was incarcerated on fraud charges in the Clinton County Jail in Michigan from July 2011 through December of 2011. He was released on probation in this case on December 20, 2011. Upon his release, SHEPARD verified his address as required, listing his address as 7870 Hunter Road, Bath, Michigan.

7) On February 23, 2012 SHEPARD's Probation Officer executed a home verification at his last known registered address of 7870 Hunter Road in Bath, Michigan. The officer found the residence to be vacant. Further investigation revealed that SHEPARD had lived in the Canal Winchester area of Ohio for approximately 3 months without registering as a sex offender as required.

8) On August 13, 2012, the United States District Court for the Southern District of Ohio issued a warrant for SHEPARD for Knowingly Failing to Register as Required by the Sex Offender Registration and Notification Act after traveling in Interstate Commerce, in violation of Title 18 U.S.C. § 2250(a). On August 21, 2012, SHEPARD was arrested on that warrant at the Randy Sams Homeless Shelter located at 402 Oak St. Texarkana, Texas.

9) On February 14, 2013, after SHEPARD had been extradited to Ohio, he was adjudged guilty and sentenced to a term of incarceration of 18 months. Following his incarceration, SHEPARD was ordered to serve a term of supervised release of 5 years.

10) Following his release from incarceration, SHEPARD registered as a sex offender and updated/verified four different addresses with the Franklin County Sheriff's Office on December, 12, 2013, December 27, 2013, December 31, 2013, March 3, 2014 and March 25, 2014. The forms provided to SHEPARD when he registered and updated his registration notified him that he was classified as a Tier I Sex Offender and was required

to register for a period of 15 years with verification on each anniversary of his initial registration. The forms that SHEPARD signed notified him that he is required to register personally with the sheriff of each county in Ohio or any other state in which he resides or is temporarily domiciled for more than 5 days, within 5 days of coming into that county. SHEPARD has not updated or verified his registration with the Franklin County Sheriff's Office since March 3, 2014.

11) On May 16, 2014, U.S. District Court Judge Frost issued an order revoking SHEPARD's supervised release, due to violations related to his failure to update his sex offender registration, failure to update his address with his probation officer, and failure to comply with restrictions on his computer use. SHEPARD was sentenced to serve a term of 6 months imprisonment and a 4-year term of supervised release.

12) On November 6, 2014, SHEPARD was released from the Delaware County Jail in Delaware, Ohio. SHEPARD contacted United States Probation Officer Grace Everson by telephone and was instructed to report to the U.S. Probation Office on November 7, 2014. SHEPARD failed to report to US Probation as instructed and he failed to register his residence information with the local law enforcement agency as required.

13) On December 3, 2014, the United States District Court for the Southern District of Ohio issued a warrant for the arrest of Michael Keith SHEPARD for the alleged violations while under Supervised Release, Case# 2:12-cr-206. SHEPARD was arrested on that warrant in Florence County, South Carolina on February 2, 2015. Investigation revealed SHEPARD had been staying at various places, in the Myrtle Beach and Irmo, South Carolina area since November of 2014, and has thus travelled in interstate commerce from Ohio to South Carolina.

14) You affiant has reviewed records that confirm that SHEPARD has never registered as a sex offender with any law enforcement agency in South Carolina, and that he has

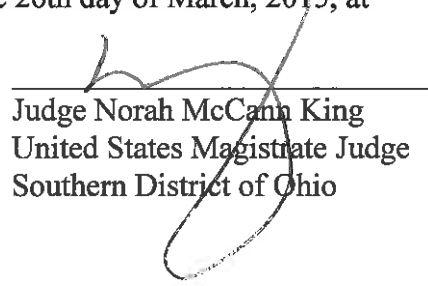
failed to update his registration and verify his address with Ohio authorities since March 2014.

15) Based on the foregoing facts, my knowledge and experience, I submit there is probable cause to believe that, MICHAEL KEITH SHEPARD, being a person required to register under the Sex Offender Registration and Notification Act (SORNA), did knowingly fail to register or update a registration as required by SORNA, and did travel in interstate or foreign commerce, in violation of Title 18 U.S.C. Section 2250(a).



Nicole Ralston  
Deputy United States Marshal

Sworn before me and subscribed in my presence the 26th day of March, 2015, at Columbus, Ohio.



Judge Norah McCann King  
United States Magistrate Judge  
Southern District of Ohio